

UNITED STATES DISTRICT COURT

for the

Western District of Virginia

AUG 31 2015

BY: JULIA Q. DUDLEY, CLERK
DEPUTY CLERKUnited States of America
v.
JOAQUIN ALVAREZ MORENODate of Previous Judgment: 03/05/2008
(Use Date of Last Amended Judgment if Applicable)

Case No: 4:07CR00009-001

USM No: 12542-084

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months is reduced to _____.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: _____

Amended Offense Level: _____

Criminal History Category: _____

Criminal History Category: _____

Previous Guideline Range: _____ to _____ months

Amended Guideline Range: _____ to _____ months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.
☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
☐ Other (explain): _____

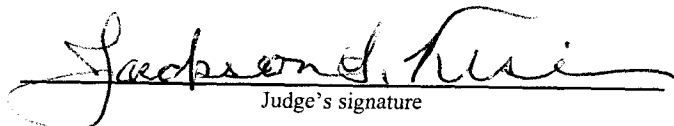
III. ADDITIONAL COMMENTS

Defendant was sentenced to the statutory minimum allowed, and therefore is not eligible for a reduction in sentence. Defendant's Motion to Appoint Counsel [ECF No. 54] is DENIED.

Except as provided above, all provisions of the judgment dated 03/05/2008 shall remain in effect.

IT IS SO ORDERED.

Order Date: 8/31/2015


Judge's signature

Effective Date: 11/01/2015
(if different from order date)

Hon. Jackson L. Kiser, Senior U.S. District Judge
Printed name and title